



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and country of citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled REMOTE STAGED RADIANT WALL FURNACE BURNER CONFIGURATIONS AND METHODS, the specification of which (check one)

☐ is attached hereto.

☒ was filed on January 15, 2004 as Application Serial No. 10/758,642 and was amended on _____ if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to patentability or to the examination of this application in accordance with 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

			Priority Claimed		Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/month/year filed)	Yes	No	Yes	No
<hr/>						
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/month/year filed)	Yes	No	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of the United States provisional application listed below.

(U.S. Provisional Application No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(U.S. Parent Application) (Parent Filing Date) (Parent Patent Number (if applicable))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and to receive the Letters Patent Document, if issued.

C. Clark Dougherty, Jr., Registration No. 24,208;
E. Harrison Gilbert, III, Registration No. 29,156;
Neal R. Kennedy, Registration No. 31,383;
Clifford C. Dougherty, III, Registration No. 31,607;
William D. Hall, Registration No. 35,535;
Anthony L. Rahhal, Registration No. 37,562;
Michael J. LaBrie, Registration No. 39,507;
Jean L. Pinkston, Registration No. 45,014; and
Barbara K. Yuill, Registration No. 54,462;

all of McAfee & TAFT, Tenth Floor, Two Leadership Square, 211 North Robinson, Oklahoma City, Oklahoma 73102, Telephone No. (405) 235-9621, each a member of the Bar of the State of Oklahoma.

The U.S. Patent and Trademark Office is requested to direct all mail and telephone calls to:

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McAfee & TAFT
Tenth Floor, Two Leadership Square
211 North Robinson
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Phone: (405) 552-2301
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e-mail: clark.dougherty@mcafeetaft.com

Full name of first inventor: Wesley R. Bussman

Inventor's signature Wesley R. Bussman Date: 2/25/04

Residence: 1335 South Indian Ave., Tulsa, Oklahoma 74127

Citizenship: United States of America

Mailing Address: 1335 South Indian Ave., Tulsa, Oklahoma 74127

Full name of second inventor: Richard T. Waibel

Inventor's signature Richard T. Waibel Date: 2/25/04

Residence: 6552 S. 218th E. Ave., Broken Arrow, Oklahoma 74014

Citizenship: United States of America

Mailing Address: 6552 S. 218th E. Ave., Broken Arrow, Oklahoma 74014

Full name of third inventor: Charles E. Baukal, Jr.

Inventor's signature Charles E. Baukal, Jr. Date: 2/25/04

Residence: 10721 S. Canton Ave., Tulsa, Oklahoma 74137

Citizenship: United States of America

Mailing Address: 10721 S. Canton Ave., Tulsa, Oklahoma 74137

Full name of fourth inventor: Roberto Ruiz

Inventor's signature Roberto Ruiz Date: 2/24/04

Residence: 4707 E. 112th St., Tulsa, Oklahoma 74137

Citizenship: United States of America

Mailing Address: 4707 E. 112th St., Tulsa, Oklahoma 74137

Full name of fifth inventor: I-Ping Chung

Inventor's signature I-Ping Chung Date: 2/24/04

Residence: 11009 E. 84th St., Tulsa, Oklahoma 74133

Citizenship: United States of America

Mailing Address: 11009 E. 84th St., Tulsa, Oklahoma 74133



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Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): Wesley R. Bussman Richard T. Waibel Charles E. Baukal, Jr. Roberto Ruiz I-Ping Chung		2. Name and address of receiving party(ies) Name: <u>John Zink Company, LLC</u> Internal Address: _____ Street Address: <u>11920 East Apache</u> City: <u>Tulsa</u> State: <u>Oklahoma</u> Zip: <u>74116</u>			
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		Execution Date: <u>February 24 and 25, 2004</u>			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No.(s) <u>10/758,642 filed January 15, 2004</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>C. Clark Dougherty, Jr.</u> Internal Address: _____ Street Address: <u>McAfee & Taft</u> <u>10th Floor, Two Leadership Square, 211 N. Robinson Ave.</u> City: <u>Oklahoma City</u> State: <u>Oklahoma</u> Zip: <u>73102</u>		6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41).....\$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed ** <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: ** Please charge any fee deficiency to: <u>50-0449</u> (Attach duplicate copy of this page if paying by deposit account)			
DO NOT USE THIS SPACE					
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <u>C. Clark Dougherty, Jr., Reg. No. 24,208</u> <u>C. Clark Dougherty Jr.</u> <u>May 4, 2004</u> Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and documents: <u>5</u>					

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

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ASSIGNMENT

WHEREAS, we, **Wesley R. Bussman, Charles E. Baukal, Jr., Roberto Ruiz and I-Ping Chung** of Tulsa, Oklahoma, and **Richard T. Waibel** of Broken Arrow, Oklahoma, have made a certain invention entitled **REMOTE STAGED RADIANT WALL FURNACE BURNER CONFIGURATIONS AND METHODS** for which application for United States Letters Patent was filed January 15, 2004, and assigned U.S. Serial No. 10/758,642 preparatory to obtaining United States Letters Patent therefor, and

WHEREAS, **John Zink Company, LLC**, a limited liability company existing under and by virtue of the laws of the State of Delaware, and having a place of business in Tulsa, County of Tulsa, State of Oklahoma, is desirous of acquiring all right, title and interest in and to said invention in **REMOTE STAGED RADIANT WALL FURNACE BURNER CONFIGURATIONS AND METHODS** above-identified, in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, we, **Wesley R. Bussman, Richard T. Waibel, Charles E. Baukal, Jr., Roberto Ruiz and I-Ping Chung**, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said John Zink Company, LLC, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations and extensions thereof.

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We hereby authorize and request the Patent Office Officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said John Zink Company, LLC, as the assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of said John Zink Company, LLC, its successors and assigns.

Further, we agree that we will communicate to said John Zink Company, LLC, or its representatives any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisions, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said John Zink Company, LLC, make all rightful oaths and generally do everything necessary or desirable to aid said John Zink Company, LLC, its successors and assigns, to obtain and enforce proper protection for said invention, in the United States and in any and all foreign countries.

Executed by the undersigned on the date indicated.

In the presence of:

Melissa Border
Witness

2/25/04

Wesley R. Bussman
Wesley R. Bussman

2/25/04
Date

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Melissa Bordie
Witness 2/25/04

Richard T. Waibel
Richard T. Waibel
2/25/04
Date

Melissa Bordie
Witness 2/25/04

Charles E. Baukal, Jr.
Charles E. Baukal, Jr.
2/25/04
Date

Melissa Bordie
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Roberto Ruiz
Roberto Ruiz
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Date

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I-Ping Chung
I-Ping Chung
2/24/04
Date

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PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Wesley R. Bussman; Richard T. Waibel; Charles E. Baukal, Jr.; Roberto Ruiz; I-Ping ChungApplication No./Patent No.: 10/758,642 Filed/Issue Date: January 15, 2004Entitled: REMOTE STAGED RADIANT WALL FURNACE BURNER CONFIGURATIONS AND METHODS

John Zink Company, LLC

a a limited liability company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8/3/04

Date

(316) 828-5946

Telephone number

Bradley E. Haddock

Typed or printed name

Signature

Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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